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Security Council

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Letter dated 28 December 2000 from the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, which was adopted by the Committee under the no-objection procedure on 28 December 2000 and is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Paul **Heinbecker**
Chairman
Security Council Committee established
pursuant to resolution 864 (1993)
concerning the situation in Angola

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Annex

Report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

I. Introduction

1. The present annual report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola covers the period from January to 28 December 2000.

2. A report of the Committee covering its activities from January to December 1999 was submitted to the Security Council on 3 February 2000 (S/2000/83).

3. On 23 August 2000, the Security Council elected Mr. Paul Heinbecker, the new Permanent Representative of Canada to the United Nations, as Chairman of the Committee for the remainder of the current calendar year, following the departure of Ambassador Robert Fowler. The delegations of Argentina and Malaysia continue to provide the two Vice-Chairmen.

4. The Committee held nine formal and three informal meetings in 2000.

II. Summary of the Committee's activities during the reporting period

5. From 8 to 16 January 2000, the Chairman of the Committee, Robert Fowler (Canada), visited Angola. He subsequently briefed the Security Council on his visit at its 4090th meeting on 18 January 2000. The Chairman explained that the objectives of his visit had been: to consult with the Government of Angola on developments regarding the worldwide application of Security Council sanctions against the União Nacional para a Independência Total de Angola (UNITA); to visit the areas and see the military equipment recently captured from UNITA; and to meet with individuals who had defected from UNITA or had been captured in the fighting. The Chairman showed excerpts of a videotaped testimony received from former UNITA members on the operations of UNITA in relation to the sanctions regime.

6. On 31 January 2000, the Chairman of the Committee received a note verbale from the Permanent Mission of Angola to the United Nations. Subsequently, on 14 February 2000, the Chairman addressed a letter to the following countries: Belgium, Côte d'Ivoire, France, Italy, Morocco, Portugal, Spain and Switzerland, requesting them to investigate and verify information on UNITA representation in their countries. The Committee received replies from the Permanent Representative of Spain (24 February 2000), the Permanent Representative of Belgium (25 February 2000), the Permanent Observer of Switzerland (19 June 2000) and the Permanent Representative of Portugal (5 October 2000), in which they informed the Committee of the legal status of the persons listed in the letters in their respective countries.

7. At the 21st meeting of the Committee, held on 10 March 2000, the Chairman gave the Committee an advance copy of the final report of the Panel of Experts on Angola Sanctions (S/2000/203), to prevent the document from being leaked to the press. In a letter of the same date addressed to the President of the Security Council for the month of March, the Chairman transmitted the report to the Council.

8. On 27 March, the Committee met to consider the recommendations contained in the report of the Panel of Experts. The Chairman indicated that his delegation was preparing a draft resolution in order to maintain the momentum created by the Panel, with the goal of establishing a follow-up mechanism and illuminating the issues raised in the report.

9. Following that meeting, expert members of the Security Council held extensive discussions to work on the text of a draft resolution for discussion by the Council.

10. Following the unanimous adoption of resolution 1295 (2000) on 18 April 2000, in which the Security Council, inter alia, requested the Secretary-General, in consultation with the Committee, to establish a monitoring mechanism composed of up to five experts to collect additional relevant information and investigate relevant leads relating to allegations of

violations of resolutions 864 (1993), 1127 (1997) and 1173 (1998), the Committee held extensive consultations to propose candidates in that regard. Subsequently, the Secretary-General appointed the following experts (see S/2000/677):

Juan Larraín (Chile, Chairman)
Christine Gordon (United Kingdom of Great Britain and Northern Ireland)
James Manzou (Zimbabwe)
Ismail Sekh (Senegal, on secondment from Interpol)
Lena Sundh (Sweden)

11. Following the establishment of the Monitoring Mechanism on 11 July 2000, and the holding of its first organizational meeting in New York from 20 to 24 July 2000, the Committee met with the members of the Monitoring Mechanism on 27 July 2000 to discuss its plan of activities. Ambassador Larraín informed members of the Committee that the Mechanism would be visiting Angola, Malawi and South Africa from 29 July to 8 August to establish contact with concerned parties, as part of the follow-up to the findings of the Panel of Experts.

12. On 18 July 2000, in Antwerp, the Chairman of the Committee, Robert Fowler, addressed the 29th World Diamond Congress of the World Federation of Diamond Bourses and the International Diamond Manufacturers Association. Acknowledging that the diamond sanctions against UNITA were beginning to work, he called attention to areas in which the industry could further contribute to that process. The Congress adopted an important resolution in support of the objectives of the measures contained in resolution 1173 (1998), which led to the subsequent creation of the World Diamond Council.

13. In accordance with paragraph 30 of resolution 1295 (2000) concerning the situation in Angola and paragraphs 6 (e) and 23 of resolution 1306 (2000) concerning the situation in Sierra Leone, in which the Secretariat was requested to publicize the measures imposed on UNITA and the Revolutionary United Front (RUF) by the Security Council, a press conference was held in New York on 11 September 2000, following the inscription of agenda item 175, entitled "The role of diamonds in fuelling conflict", on the agenda of the fifty-fifth session of the General Assembly. Ambassador Paul Heinbecker (Canada), the new Chairman of the Committee, Ambassador Juan Larraín (Chile), Chairman of the Monitoring Mechanism on Angola Sanctions, and Ambassador Martin Chungong Ayafor (Cameroon), Chairman of the Panel of Experts on Sierra Leone, responded to questions from the press and launched the release of an information pamphlet, "Conflict diamonds, sanctions and war", prepared by the Sanctions Branch in cooperation with the Department of Public Information.

14. Also in September 2000, the Chairman of the Committee, Ambassador Paul Heinbecker, visited Angola and South Africa. Addressing the International Ministerial Diamond Conference in Pretoria on 20 September 2000, the Chairman called for partnership between political authority and technical expertise (Governments, industry, civil society and international bodies) in order to "craft the sophisticated control measures we need in order to ascertain the provenance of diamonds". In Angola, the Chairman held consultations with the authorities in which he renewed the determination of the Committee to successfully implement the sanctions against UNITA.

15. On 18 October, the Chairman circulated a paper from the Government of Angola, entitled "The strategy of the Angolan Government against conflict diamonds and trade in illicit diamonds", submitted pursuant to the invitation contained in paragraph 16 of Security Council resolution 1295 (2000). Also on 23 October 2000, he circulated a paper, "Progress report on conflict diamonds", received from the managing director of the Diamond High Council in Antwerp, which summarized existing Belgian legislation with regard to diamonds and gave an overview of the initiatives taken by the Government of Belgium and the diamond industry in support of the effectiveness of United Nations embargoes.

III. Response to the report of the Panel of Experts

16. Following the issuance of the report of the Panel of Experts, several Member States addressed comments to the Committee established pursuant to resolution 864 (1993) concerning the situation in Angola. Those countries included Angola, Bulgaria, Burkina Faso, Gabon and Portugal.

17. In a note verbale dated 13 April 2000, the Permanent Mission of Angola to the United Nations

informed the Chairman of the Committee that, in its declaration adopted at the conclusion of the thirteenth Ministerial Conference of the Movement of Non-Aligned Countries held in Cartagena from 7 to 9 April 2000, the Movement had endorsed the final report of the Panel of Experts.

18. Bulgaria informed the Committee in a note verbale addressed to the Chairman dated 20 March 2000 that, subsequent to the report, the Government of the Republic of Bulgaria had set up a special interdepartmental commission to investigate the allegations raised against Bulgaria in the report.

19. In a letter dated 17 March 2000, the Permanent Representative of Portugal underlined the cooperation that his Government had always extended to the Committee, but took issue with some of the Panel's findings.

20. In a letter dated 20 April 2000, transmitting a memorandum of his Government, the Permanent Representative of Burkina Faso described some of the conclusions of the report as flawed. Observing, however, that the Security Council's investment in the search for peace in Angola was "a pressing task", and stressing that his Government had not violated the sanctions against UNITA, he stated that his Government had decided to set up an inter-ministerial committee to monitor the implementation of the United Nations sanctions against UNITA.

21. In a letter dated 15 March 2000, the Permanent Representative of Gabon expressed the view that the facts in the report concerning his country were not supported by precise details as to help the Government to investigate the issue further.

IV. Summary of activities of the Monitoring Mechanism

22. The Monitoring Mechanism held its first meeting on 20 and 21 July 2000, during which it received detailed briefings from Ambassador Fowler, the Chairman of the Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, the United Nations Secretariat and the previous Panel of Experts.

23. Outlining its programme and methodology, the Mechanism decided to give high priority to tracing sanction violations in the areas of arms, military equipment, diamonds and finances, and travel and representation. It further decided: (a) to seek the cooperation of the International Criminal Police Organization (ICPO)-Interpol; (b) to use strict evidentiary standards in its investigations, and (c) to allow the right of reply to those against whom allegations concerning sanctions violations had been made. The Mechanism also indicated that it would submit urgent recommendations to the Committee as soon as practicable, rather than postponing their submission until the issuance of its final report.

24. The Mechanism observed the importance of taking measures to sensitize international public opinion on its role in particular and the Security Council sanctions in general. It further committed itself to holding regular consultations with panels of experts working on similar issues and to keeping the Committee informed of its work.

25. The Mechanism visited the following countries for consultations: Angola, Botswana, Bulgaria, Burkina Faso, Côte d'Ivoire, Namibia, Romania, the Russian Federation, Rwanda, South Africa, Togo, Uganda, Ukraine and Zambia. It also visited Antwerp, Brussels, Lisbon and London as well as the headquarters of the Southern African Development Community (SADC) in Gaborone, the headquarters of the Wassenar Arrangement in Vienna and the World Customs Organization.

26. In the earlier stages of its work, the Mechanism actively sought the cooperation of Governments, institutions and other actors with an interest in the Security Council sanctions against UNITA. Concerned that UNITA still maintained financial assets abroad, it proposed to the Committee a study by Kroll Associates to locate and investigate those assets.

27. On 23 October 2000, the Committee received the interim report of the Monitoring Mechanism. In presenting the report, Ambassador Larrain stressed that the comprehensive final report would be ready in early December. He indicated that further revision of the list of senior UNITA officials and immediate family members would shortly be undertaken with the cooperation of Angolan authorities. Ambassador Larrain further informed the Committee that the Monitoring Mechanism would shortly be visiting Antwerp, Brussels, Lisbon, London and Zambia. The Committee agreed to transmit the interim report to the President of the Security Council, to be issued as a

Security Council document (S/2000/1026). It also approved, on an exceptional ad hoc basis, and within the United Nations financial and administrative regulations governing such exceptions, the request from the Monitoring Mechanism to commission a study by Kroll Associates to locate and investigate the financial assets of UNITA.

28. At the 28th meeting of the Committee on 21 December 2000, the Committee received the final report of the Monitoring Mechanism and decided to circulate it as a document of the Security Council. Although members indicated that they had not yet had time to study the report in detail, they expressed their gratitude to the members of the Monitoring Mechanism for their professionalism and the thoroughness of the document. Ambassador Larrain pointed out that the report did not include input concerning the work being done by Kroll Associates, as a copious but preliminary report had only just been received from the company, but expressed his intention to submit a recommendation in that respect. He also said that the Mechanism might issue an addendum to the report in 2001. Ambassador Heinbecker, the Chairman of the Committee, stressed the importance of ongoing monitoring of the sanctions against UNITA. In line with the general views expressed during the discussion, he also recommended that the full membership be able to speak at a formal meeting of the Security Council early in 2001.

V. Implementation of Security Council resolution 1295 (2000)

29. The decision required in paragraph 5 of resolution 1295 (2000), concerning who is in violation of the sanctions against UNITA and what is to be done about it, remains outstanding and should be taken up as early as possible in 2001, and as soon as the Committee and the Council have been able to absorb the report of the Monitoring Mechanism.

30. The decisions required in paragraph 6 of the resolution, in particular on the need for new measures against UNITA, are also outstanding.

31. With reference to paragraph 9, the Governments of Canada and Hungary have expressed their intention to convene a meeting on small arms involving representatives of African and European States, to be held in Budapest in April 2001. Relevant issues are also expected to be taken up in other meetings being held in preparation for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects to be held in New York from 9 to 20 July 2001.

32. In relation to paragraph 18, the Government of South Africa and other diamond producers in Southern Africa have initiated the Kimberley Process of meetings of diamond producers, processors, importers and exporters, the objective of which corresponds with those outlined in paragraph 18. With reference to paragraph 20, the Government of Switzerland has indicated its intention, in principle, to convene the expert meeting on financial measures called for in that paragraph.

33. With reference to paragraphs 11, 12, 13, 25, 27 and 32, the Chairman of the Committee, on 11 December 2000, addressed a letter to the Chairman and the Acting Executive Secretary of SADC, encouraging closer collaboration between SADC and the Security Council. Steps that SADC might take in this regard were to be discussed at a ministerial-level meeting of SADC early in 2001.

VI. Observations

34. In 2000 it became increasingly clear that the measures against UNITA were having an impact and were succeeding in their objective of preventing UNITA from pursuing its objectives through military means. Members of the Committee and of the Security Council remained unanimous in their support for the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998).